

REMARKS

In the office action dated December 15, 2005, the Office rejected claims 2-20 under 35 U.S.C. 103(a) as being unpatentable over Flanagin in view of Seifert. The Office also rejected claims 2 and 12 under 35 U.S.C. 112, second paragraph, as being indefinite because of the use of the word "substantial." Reconsideration of the present application is respectfully requested in light of the above amendment and the following remarks.

Rejection of Claim 2 Under 35 U.S.C. 103(a):

Claim 2 has been amended to recite: "wherein at least one member of said apparatus and said at least one portable unit generates non-deterministic digital contents at multiple times without user action at these times" Flanagin discloses "a unique identifier (profile identifier) that is assigned at profile area creation time by a random number generator." Col. 8, lines 20-22. The way the profile identifier is created is described in the following places in Flanagin:

"If either the connected mobile device 3A or the desktop computer 4 has no profile identifiers in its list ... the user is queried through a suitable user interface (UI) dialog box provided on the desktop computer 4 as to whether the user would like to log on as a guest or create a new user specific profile area 13A" (col. 8, lines 46-52)

"If the user will not be interacting with the desktop computer 4 as a guest, the user can create a new profile area which will be stored on the desktop computer 4, and which is represented in FIG. 6 at state 128." (col. 9, lines 27-30).

"The profile manager module 12 assigns the profile identifier which will be stored in the profile area 13A and in the mobile device 3A at 91A. Preferably, the user is then queried to enter a unique device name for the connected mobile device 3A." (col. 9 lines 40-42).

Thus, it is clear that the profile identifier is created when a user wishes to create a new profile using the user interface. This is different from the claim invention that recites that non-deterministic digital contents are generated at multiple times without use action at these times.

The Office relies on Seifert to supply the missing element. Specifically, the paragraph

pointed to by the Office, col. 7, lines 46-52, states:

“The security code which allows access to sensitive areas of the application is dynamic. It changes daily based on a predetermined algorithm. The algorithm may be a function of the date, and/or a predetermined identification code. This prevents an agent from learning the code on one day while troubleshooting and re-using it at a later date.”

The “dynamic” code in Seifert does not add new teaching to Flanagin. Flanagin teaches that the profile identifier is assigned at profile area creation time by a random number generator. This means that a different profile identifier is created every time a new profile area is created. However, Seifert does not change the teaching of Flanagin that the profile area is created as a result of user action. If the Office wants to argue that the “dynamic” code can be used to change Flanagin from a user-initiated profile area creation to automatic profile area creation, then the modified Flanagin system will not work. For example, if a profile area is created every day automatically without being requested, the memory in Flanagin will soon be filled up with profile areas even though the user has not asked for any profile area. Thus, combining the teachings of Flanagin and Seifert would not suggest the claim invention.

Because of the significant differences between claim 2, as amended, and Flanagin and Seifert, singly or in combination, applicant believes that claim 2, as amended, is patentable.

Rejection of Claim 12 Under 35 U.S.C. 103(a):

Claim 12, as amended, recites “generating non-deterministic digital contents by one of the apparatus and the portable unit at multiple times without user action at these times.” For similar reasons stated in connection with claim 2, applicant believes that the amended claim 12 is patentable.

Rejection of Other Claims Under 35 U.S.C. 103(a):

Other claims depend from claims 1 or 12. They are patentable on at least the same basis.

Rejection of Claims 2 and 12 under 35 U.S.C. 112:

Claims 2 and 12, as amended, do not contain the word "substantially." Consequently, this ground of rejection is moot.

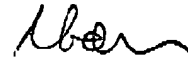
Applicant believes that all grounds of rejection have been satisfactorily answered. The allowance of the present application is respectfully urged.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required, and to credit any overpayment, to Deposit Account No. 03-1243 (Our Docket No. LOCREM-01).

Respectfully submitted,

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